

1895, regulating bonds of liquor dealers."

And find the same correctly engrossed.

BARRETT, Chairman.

TWENTY-FOURTH DAY.

Senate Chamber,

Austin, Texas, Friday, Feb 10, 1905.

Senate met pursuant to adjournment, Lieutenant Governor Geo. D. Neal in the chair.

Roll call, quorum present, the following Senators answering to their names:

Barrett.	Hicks.
Beaty.	Hill.
Brachfield.	Holland.
Chambers.	Looney.
Decker.	Martin.
Faust.	McKamy.
Glasscock.	Skinner.
Grinnan.	Stafford.
Hale.	Stokes.
Hanger.	Stone.
Harper.	Willacy.
Hawkins.	

Absent.

Davidson.	Paulus.
Faulk.	Smith.
Griggs.	Terrell.
Harbison.	

Absent—Excused.

Meachum,

Prayer by the Chaplain, Rev. H. H. Sears.

Pending the reading of the Journal of yesterday, on motion of Senator Hill, the same was dispensed with.

(See Appendix for committee reports.)

PETITIONS AND MEMORIALS.

Senator Grinnan offered the following petitions:

Believing that our district judges are inadequately compensated for their services, we the undersigned members of the bar and officers of McCulloch county, Texas, endorse the bill now pending before the Legislature to increase their salary to three thousand five hundred dollars, and request our Senator and Representative

to actively support the same, or any similar measure.

Members of the Bar—Joe A. Adkins, W. McShan, Walter Anderson, J. W. Matthews, Shropshire & Hughes, F. W. Newman, C. A. Wright.

County Officers—Joe A. Adkins, County Judge; H. P. Jordan, County Clerk; J. C. Wall, County Collector; H. S. Espy, County Assessor; H. P. Jordan, District Clerk.

Also, members of the bar of Mills county as follows:

R. L. H. Williams, Leonard Doughty, J. L. Lewis.

County Officers—L. E. Pattinen, County Judge; E. G. Crawford, County Clerk; A. T. Pribble, County Attorney; R. J. Atkinson, County Collector and Sheriff; J. B. Bainson, County Assessor; G. W. Templin, County Treasurer; E. G. Crawford, District Clerk.

Also signed by members of bar of Brown county:

C. L. McCartney, R. E. Lee, E. J. Miller, A. E. Wilson, E. C. Harrell, R. L. McGaugh, E. S. J. Whitehead, G. N. Morrison, Will J. Scott, City Attorney, George B. Savage, A. M. Brumfield, T. C. Wilkinson, R. P. Conner, Robt. L. Russell.

County Officers—S. C. Coffee, County Judge; W. D. McChristy, County Clerk; Will A. Bell, County Collector; Marion Cox, County Assessor; W. N. Adams, County Treasurer; Dee A. Hise, District Clerk; M. H. Dennidie, Sheriff.

EXCUSED.

On motion of Senator Faust, Senator Harbison was excused from attendance upon the Senate for today on account of business.

BILLS AND RESOLUTIONS.

By Senator Glasscock:

Senate bill No. 189, a bill to be entitled "An Act to amend Articles 3498f, 3498g and 3498i, and to repeal Article 3498m, Revised Civil Statutes, relating to the sale of mineral land."

Read first time, and referred to the Committee on Mining and Irrigation. By Senator Stone:

Senate bill No. 190, a bill to be entitled "An Act to amend Sections 3295, 3296 and 3303, Chapter 2, Title LXVI, Revised Civil Statutes of the State of Texas."

Read first time, and referred to the Judiciary Committee No. 1.

By Senator Hanger:

Senate bill No. 191, a bill to be entitled "An Act to amend Article 5353 of the Revised Statutes of Texas of 1895, relating to the probate of wills."

Read first time, and referred to the Judiciary Committee No. 1.

By Senator Hanger (by request):

Senate bill No. 192, a bill to be entitled "An Act declaring void sales of portions of stocks of merchandise otherwise than in the ordinary course of trade in the usual and regular prosecution of the seller's business, and sales of entire stocks of merchandise in bulk, unless made in compliance with certain named conditions, and prescribing such conditions and regulations according to which such sales may be made valid."

Read first time, and referred to the Judiciary Committee No. 1.

By Senator Faust:

Senate bill No. 193, a bill to be entitled "An Act to give the furnishers of feed for cattle a prior lien on said cattle to secure the payment of such feed, and to provide penalties for fraudulent disposition of cattle subject to such liens."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Harper (by request):

Senate bill No. 194, a bill to be entitled "An Act for the better protection of the farmer in the purchase of commercial fertilizers."

Read first time, and referred to Committee on Agricultural Affairs.

By Senator Looney:

Senate bill No. 195, a bill to be entitled "An Act to amend Section 13, Chapter 35, Acts of the regular session of the Twenty-fifth Legislature, being House bill No. 83, creating a more efficient road system for Raines county, as printed in session Acts, pages 32 to 37, by increasing the per diem pay of the county road commissioner, and increasing the maximum pay to four hundred (\$400) dollars per annum, and declaring an emergency"

Read first time, and referred to Committee on Roads, Bridges and Ferries.

By Senators Hawkins and Terrell:

Senate bill No. 196, a bill to be entitled "An Act to repeal Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15 and 16, Chapter 86, of the Acts of the Twenty-sixth Legislature, pages 138, 139, 140, 141, 142 and 143, approved April 19, 1899, entitled "An Act to create the office of State Purchasing Agent for the various eleemosynary institutions of the State of Texas, to define his duties, term of office, mode of qualifications and compensation; to abolish the office or position of steward, quartermaster or other similar

position in said institutions; to require all supplies to be purchased by said agent under competitive bids or contracts; to provide for the appointment of storekeepers or accountants in said institutions, and to define the duties thereof; to make an appropriation for the salary of said Purchasing Agent; to provide for the appointment of two clerks for said Purchasing Agent, and to make appropriation for their salaries; to define offenses committed under the operation of this Act, and to provide penalties therefor," and providing the mode of furnishing certain supplies to the various eleemosynary institutions of the State of Texas, with the emergency clause.

Read first time, and referred to the Committee on State Affairs.

By Senators Glasscock, Brachfield and Martin:

Senate bill No. 197, a bill to be entitled "An Act to amend Article 5065 of Title CIV, Chapter 2, of the Revised Civil Statutes of the State of Texas, so as to define and exempt the property of charitable institutions from taxation."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Griggs:

Senate bill No. 198, a bill to be entitled "An Act to provide for the appointment of assistant district attorneys in counties where there is a resident criminal district attorney."

Read first time, and referred to Judiciary Committee No. 1.

HOUSE MESSAGE.

Hall of the House of Representatives,
Twenty-Ninth Legislature.

Austin, Texas, February 10, 1905.

Hon. Geo. D. Neal, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

Senate bill No. 24, a bill to be entitled "An Act to prohibit roping contests, and to prescribe a penalty for engaging in the same, and to declare an emergency," with amendments; also

Senate bill No. 25, a bill to be entitled "An Act to amend Article 1012, Title XXVII, Chapter 14, Revised Civil Statutes of 1895, as amended by act approved April 17, 1899, of the Twenty-sixth Legislature, regular session, relating to the employment of stenographers by the Courts of Civil Appeals, and declaring an emergency," with amendment.

Senate bill No. 27, a bill to be entitled "An Act for the relief of railway corporations and belt and suburban railway companies having charters

granted as amended since the 1st day of January, 1887, and which have failed, or are about to fail, to construct their roads and branches, or any part thereof, within the time required by law;" also

Senate bill No. 31, a bill to be entitled "An Act authorizing the appointment of temporary guardians of minors and their estates, regulating their duties and requirements and the practice in relation thereto," with amendments.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

Morning call concluded.

SENATE BILL NO. 106.

On motion of Senator Hanger, the regular order of business (House bill No. 81) was suspended, and the Senate took up, out of its order, Senate bill No. 106.

The Chair laid before the Senate, on second reading,

Senate bill No. 106, a bill to be entitled "An Act to create a criminal district court for the county of Tarrant, in the State of Texas, and to prescribe the jurisdiction thereof; fix the times for holding the terms of said court; to provide for the appointment and election of the judge thereof, and to provide for the sheriff, clerk and attorney thereof; to limit and conform thereto the jurisdiction of the district courts of Tarrant county, and to repeal all laws and parts of laws in conflict herewith."

Senator Hanger offered the following:

February 2, 1905.

Condition of the Criminal Docket of the Seventeenth and Forty-eighth District Courts in and for Tarrant County, Texas:

Total number of cases pending on Criminal Dockets	124
Total number charged with capital offense	20
Leaving total charged with other offenses	114
Total number of indictments returned charged with felonies for year beginning January 9, 1904, and ending January 7, 1905.....	287

I, Jno. A. Martin, District Clerk in and for Tarrant County, Texas, do hereby certify that the above and foregoing is a true and correct statement of the condition of the Criminal Dockets of the Seventeenth and Forty-eighth District Courts in and for Tarrant County, Texas.

Given under my hand and seal of

said Court at office in Fort Worth, this February 2, 1905,

(Seal)

JNO. A. MARTIN,

District Clerk, Tarrant County, Texas.

By E. J. Brock, Jr., Deputy.

We, M. E. Smith and Irby Dunklin, Judges respectively of the Seventeenth and Forty-eighth Judicial District Courts, in and for Tarrant County, Texas, do hereby certify that the above and foregoing is a true and correct statement as to the matters referred to therein.

MIKE E. SMITH,

Judge 17th Jud. Dist. of Texas

IRBY DUNKLIN,

Judge 48th Jud. Dist. of Texas.

February 2, 1905.

Condition of the Forty-eighth Judicial District Civil Docket at this time, Tarrant County, Texas:

Number of cases pending on Forty-eighth District docket.....	569
Number of said cases pending on jury docket	118
Number pending on non-jury docket.....	451
Total number of cases filed during the year beginning January 1, 1904, and ending January 1, 1905.....	733

Of this number one-half were filed in the Seventeenth District Court, and leaving a total number filed in the Forty-eighth District Court, 365.

I, Jno. A. Martin, District Clerk in and for Tarrant County, Texas, do hereby certify that the above and foregoing is a true and correct statement as to the condition of the Forty-eighth Judicial District Docket (Civil).

Witness my hand and seal of said court at office at Fort Worth this February 2, 1905.

(Seal)

JNO. A. MARTIN,

District Clerk, Tarrant County, Texas.

By E. J. Brock, Jr., Deputy.

I, Irby Dunklin, Judge of the Forty-eighth Judicial District Court, do hereby certify that the above and foregoing is a true and correct statement as to the matters referred to therein.

IRBY DUNKLIN,

Judge 48th Jud. Dist. of Texas.

February 2, 1905.

Condition of the Seventeenth Judicial District Civil Docket at this time, Tarrant county, Texas.

Number of cases pending on Seventeenth District Docket.....	340
Number of said cases pending on Jury Docket.....	97
Number pending on Non-Jury Docket	243
Total number of cases filed during the year beginning January 1, 1904, and ending January 1, 1905.....	733

Of this number one-half were filed
in the Forty-eighth District
Court 365

I, Jno. A. Martin, District Clerk in
and for Tarrant county, Texas, do
hereby certify that the above and
foregoing is a true and correct state-
ment as to the condition of the Sev-
enteenth Judicial District Court
(Civil.)

Witness my hand and seal of said
office at Fort Worth, Texas, this Feb-
ruary 2, 1905.

(Seal) JNO. A. MARTIN,
District Clerk, Tarrant County, Texas,
by E. J. Brock, Jr., Deputy.

I, M. E. Smith, Judge of the Dis-
trict Court, Seventeenth Judicial Dis-
trict, do hereby certify that the above
and foregoing is a true and correct
statement as to the matters referred
to therein.

(Seal) MIKE E. SMITH,
Judge 17th Jud. Dist. of Texas.

Bill read second time and ordered
engrossed.

On motion of Senator Hanger, the
constitutional rule requiring bills to
be read on three several days was
suspended, and the bill put on its
third reading and final passage by the
following vote:

Yeas—22.

Barrett.	Hicks.
Beaty.	Hill.
Brachfield.	Holland.
Chambers.	Looney.
Faust.	Martin.
Glasscock.	McKamy.
Grinnan.	Skinner.
Hale.	Stafford.
Hanger.	Stone.
Harper.	Terrell.
Hawkins.	Willacy.

Absent.

Davidson.	Paulus.
Decker.	Smith.
Faulk.	Stokes.
Griggs.	

Absent—Excused.

Harbison.	Meachum.
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The bill was read third time and
passed by the following vote:

Yeas—23.

Barrett.	Holland.
Chambers.	Looney.
Decker.	Martin.
Faust.	McKamy.
Glasscock.	Skinner.
Grinnan.	Smith.

Hale.	Stafford.
Hanger.	Stokes.
Harper.	Stone.
Hawkins.	Terrell.
Hicks.	Willacy.
Hill.	

Nays—1.

Brachfield.

Absent.

Beaty.	Griggs.
Davidson.	Paulus.
Faulk.	

Absent—Excused.

Harbison.	Meachum.
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Senator Hanger moved to reconsider
the vote by which the bill was passed,
and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 195—PAS- SAGE OF.

On motion of Senator Looney, the
regular order of business (House bill
No. 81) was suspended, and the Senate
took out, out of its order, Senate bill
No. 195.

On motion of Senator Looney, the
Senate rule requiring committee re-
ports to lay over for one day was sus-
pended for the purpose of considering
this bill.

On motion of Senator Looney, the
constitutional rule requiring bills to be
read on three several days was sus-
pended, and the bill put on its second
reading by the following vote.

Yeas—21.

Barrett.	Hill.
Beaty.	Holland.
Brachfield.	Looney.
Chambers.	Martin.
Faust.	McKamy.
Glasscock.	Skinner.
Hale.	Stafford.
Hanger.	Stokes.
Harper.	Stone.
Hawkins.	Willacy.
Hicks.	

Absent.

Davidson.	Grinnan.
Decker.	Paulus.
Faulk.	Smith.
Griggs.	Terrell.

Absent—Excused.

Harbison.	Meachum.
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On motion of Senator Looney, the committee report was adopted.

The Chair laid before the senate, on second reading, Senate bill No. 195, a bill to be entitled "An Act to amend Section 13, Chapter 35, Acts of the regular session of the Twenty-fifth Legislature, being House bill No. 83, creating a more efficient road system for Raines county, as printed in session Acts, pages 32 to 37, by increasing the per diem of the county road commissioners, and increasing the maximum pay to four (\$4.00) dollars per diem per annum, and declaring an emergency."

Bill read second time and ordered engrossed. On motion of Senator Looney, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—22.

Barrett.	Hicks.
Beaty.	Hill.
Brachfield.	Holland.
Chambers.	Looney.
Faust.	Martin.
Glasscock.	McKamy.
Grinnan.	Skinner.
Hale.	Stafford.
Hanger.	Stokes.
Harper.	Stone.
Hawkins.	Willacy.

Absent.

Davidson.	Paulus.
Decker.	Smith.
Faulk.	Terrell.
Griggs.	

Absent—Excused.

Harbison.	Meachum.
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The bill was read third time, and passed by the following vote:

Yeas—22.

Barrett.	Hicks.
Beaty.	Holland.
Brachfield.	Looney.
Chambers.	Martin.
Faust.	McKamy.
Glasscock.	Skinner.
Grinnan.	Stafford.
Hale.	Stokes.
Hanger.	Stone.
Harper.	Terrell.
Hawkins.	Willacy.

Absent.

Davidson.	Hill.
Decker.	Paulus.
Faulk.	Smith.
Griggs.	

Absent—Excused.

Harbison.	Meachum.
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Senator Looney moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

MESSAGE FROM THE GOVERNOR.

The Chair here laid before the Senate the following message from the Governor:

Executive Office.

State of Texas, Austin,

February 10, 1905.

To the Senate:

I request the advice and consent of the Senate to the following appointments:

L. S. Kinder, of Hale county, to be Judge of the Sixty-fourth Judicial District of Texas.

B. D. Glasgow, of Dickens county, to be District Attorney of the Fiftieth Judicial District of Texas.

Edwin Bruce, of Galveston county, to be Clerk at Galveston of the Criminal District Court of Galveston and Harris counties, to fill the vacancy occasioned by the death of R. A. Burney.

S. W. T. LANHAM,
Governor.

EXECUTIVE SESSION—TIME SET FOR.

Senator Hanger moved that the Senate sit in executive session today at 11:30 o'clock for the purpose of considering the above appointments sent in by the Governor.

The motion was unanimously adopted.

SENATE BILL NO. 153—PASSAGE OF.

On motion of Senator Glasscock the regular order of business was suspended, and the Senate took up, out of its order, Senate bill No. 153.

The Chair laid before the Senate on second reading,

Senate bill No. 153, a bill to be entitled "An Act to reorganize the Twenty-seventh, Thirty-third and Thirty-fifth Judicial Districts of the State of Texas, and fix the time for holding court therein as passed by the Twenty-seventh Legislature, Chapter 64, page 133, and to repeal all laws and parts of laws in conflict therewith."

(Senator Smith in chair.)

Senator Glasscock offered the following amendment:

Amend Section 2, page 1, by striking out the word "Gillespie" and insert the

word "Blanco;" also strike out the word "third" and insert the word "first," in said line.

The amendment was adopted.

Senator Glasscock offered the following amendment:

Amend Section 3, of the bill by striking out in line 31, page 2, the words "until the business is disposed of," and insert in lieu thereof the words "two weeks."

The amendment was adopted.

Senator Glasscock offered the following amendment:

Amend Section 2 of the bill on page 2 by inserting at the end of said section, as amended, the following: "In the county of Brown on the fifteenth Monday after the first Monday in February and September, and may continue in session until the business is disposed of."

The amendment was adopted.

Senator Glasscock offered the following amendment:

Amend line 28, page 1, by striking out the word "Blanco" and insert the word "Gillespie," and striking out the word "first" and insert the word "third."

The amendment was adopted.

Bill read second time and ordered engrossed.

On motion of Senator Glasscock the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—24.

Barrett.	Hill.
Beaty.	Holland.
Brachfield.	Looney.
Chambers.	Martin.
Faust.	McKamy.
Glasscock.	Skinner.
Grinnan.	Smith.
Hale.	Stafford.
Hanger.	Stokes.
Harper.	Stone.
Hawkins.	Terrell.
Hicks.	Willacy.

Absent.

Davidson.	Griggs.
Decker.	Paulus.
Faulk.	

Absent—Excused.

Harbison.	Meachum.
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The bill was read third time and passed by the following vote:

Yeas—23.

Barrett.	Hill.
Beaty.	Looney.

Brachfield.	Martin.
Chambers.	McKamy.
Faust.	Skinner.
Glasscock.	Smith.
Grinnan.	Stafford.
Hale.	Stokes.
Hanger.	Stone.
Harper.	Terrell.
Hawkins.	Willacy.
Hicks.	

Absent.

Davidson.	Griggs.
Decker.	Holland.
Faulk.	Paulus.

Absent—Excused.

Harbison.	Meachum.
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Senator Glasscock moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

BILLS SIGNED.

The Chair (Lieutenant Governor Neal) gave notice of signing, and did sign, in the presence of the Senate, after its caption had been read:

Senate bill No. 27, a bill to be entitled "An Act for the relief of railway corporations and belt and suburban railway companies having charters granted as amended since the 1st day of January, 1887, and which have failed, or are about to fail, to construct their roads and branches, or any part thereof, within the time required by law."

SENATE BILL NO. 165—PAS-SAGE OF.

On motion of Senator Grinnan, the regular order of business (House bill No. 81) was suspended, and the Senate took up, out of its order, Senate bill No. 165.

The Chair laid before the Senate, on second reading,

Senate bill No. 165, a bill to be entitled "An Act to prohibit malpractice and frauds in the practice of medicine and surgery, and to revoke license."

Senator Grinnan offered the following amendment:

There being no adequate law on this subject creates an emergency and an imperative public necessity requiring the constitutional rule which requires bills to be read on three several days in each house, and said rule is hereby suspended, and this act shall take effect and be in force from and after its passage, and it is so enacted.

The amendment was adopted.
Bill read second time and ordered engrossed. On motion of Senator Grinnan, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—23.

Barrett.	Hill.
Brachfield.	Holland.
Chambers.	Looney.
Decker.	Martin.
Faust.	McKamy.
Glasscock.	Skinner.
Grinnan.	Smith.
Hale.	Stafford.
Hanger.	Stokes.
Harper.	Stone.
Hawkins.	Willacy.
Hicks.	

Absent.

Beaty.	Griggs.
Davidson.	Paulus.
Faulk.	Terrell.

Absent—Excused.

Harbison.	Meachum.
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The bill was read third time, and passed by the following vote:

Yeas—23.

Barrett.	Hill.
Brachfield.	Holland.
Chambers.	Looney.
Decker.	Martin.
Faust.	McKamy.
Glasscock.	Skinner.
Grinnan.	Smith.
Hale.	Stafford.
Hanger.	Stokes.
Harper.	Stone.
Hawkins.	Willacy.
Hicks.	

Absent.

Beaty.	Griggs.
Davidson.	Paulus.
Faulk.	Terrell.

Absent—Excused.

Harbison.	Meachum.
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Senator Grinnan moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

(Lieutenant Governor Neal in chair.)

HOUSE BILL NO. 104—ENGROSSMENT OF.

On motion of Senator Stone, the regular order of business (House bill No. 81) was suspended, and the Senate took up, out of its order, House bill No. 104.

The Chair laid before the Senate, on second reading,

House bill No. 104, a bill to be entitled "An Act making it an offense to be the proprietor, manager, or in any way to have control of and run a public gaming house; and fixing a penalty therefor."

Senator Looney moved that further consideration of the bill be postponed till next Tuesday morning, and be made a special order.

On motion of Senator Hicks the motion to postpone was tabled.

Senator Smith offered the following amendment:

Amend line 21, by striking out "twenty" and insert "thirty" in lieu thereof.

On motion of Senator Stone the amendment was tabled.

Senator Looney offered the following amendment:

Amend the bill by striking out all after the word "house," in line 18, and insert in lieu thereof as follows: "He shall be punished by confinement in the penitentiary for a term of not less than one nor more than two years."

On motion of Senator Stone the amendment was tabled by the following vote:

Yeas—13.

Beaty.	Hicks.
Decker.	Hill.
Faust.	Stafford.
Glasscock.	Stone.
Griggs.	Terrell.
Hale.	Willacy.
Hanger.	

Nays—10.

Brachfield.	Martin.
Grinnan.	McKamy.
Hawkins.	Skinner.
Holland.	Smith.
Looney.	Stokes.

Absent.

Barrett.	Faulk.
Chambers.	Harper.
Davidson.	Paulus.

Absent—Excused.

Harbison.	Meachum.
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EXECUTIVE SESSION.

The Chair here announced that the hour had arrived for the Senate to sit in executive session to act on appointments sent in this morning.

IN EXECUTIVE SESSION.

In executive session the following confirmations were had:

L. S. Kinder, of Hale county, Judge of the Sixty-fourth Judicial District.

B. D. Glasgow, of Dickens county, District Attorney of the Fiftieth Judicial District.

Edwin Bruce, of Galveston county, to be clerk at Galveston of the Criminal District Court of Galveston and Harris counties, to fill the vacancy occasioned by the death of R. A. Burney.

IN THE SENATE.

Action recurring on House bill No. 104, pending business.

Senator Hale moved the previous question on the engrossment of the bill. The motion being duly seconded, it was so ordered.

Bill was read second time and ordered engrossed.

Senator Stone moved to reconsider the vote by which the bill was ordered engrossed, and lay that motion on the table.

The motion to table prevailed.

(President Pro Tem. Hanger in the chair.)

SENATE BILL NO. 133—PASSAGE OF.

On motion of Senator Beaty, the regular order of business (House bill No. 81) was suspended, and the Senate took up, out of its order, Senate bill No. 133.

The Chair laid before the Senate, on its second reading,

Senate bill No. 133, a bill to be entitled "An Act to amend Chapter 11, Title XCIV, Article 4548, of the Revised Civil Statutes of 1895, relating to collection of debts from railroad corporations."

Bill read second time and ordered engrossed.

On motion of Senator Beaty, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—25.

Barrett.	Hill.
Beaty.	Holland.
Brachfield.	Looney.

Chambers.	Martin.
Faust.	McKamy.
Glasscock.	Skinner.
Griggs.	Smith.
Grinnan.	Stafford.
Hale.	Stokes.
Hanger.	Stone.
Harper.	Terrell.
Hawkins.	Willacy.
Hicks.	

Absent.

Davidson.	Faulk.
Decker.	Paulus.

Absent—Excused.

Harbison.	Meachum.
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The bill was read third time and passed by the following vote:

Yeas—24.

Barrett.	Hill.
Beaty.	Holland.
Brachfield.	Looney.
Chambers.	Martin.
Faust.	McKamy.
Glasscock.	Skinner.
Griggs.	Smith.
Grinnan.	Stafford.
Hale.	Stokes.
Hanger.	Stone.
Harper.	Terrell.
Hawkins.	Willacy.

Absent.

Davidson.	Hicks.
Decker.	Paulus.
Faulk.	

Absent—Excused.

Harbison.	Meachum.
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Senator Beaty moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 81—PASSAGE OF.

The Chair laid before the Senate on third reading.

House bill No. 81, a bill to be entitled "An Act to amend Article 883, of Chapter 11, of the Penal Code of the State of Texas, relating to the theft of animals," and providing a penalty therefor."

The bill was read third time and passed.

Senator Hill moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 135—MADE SPECIAL ORDER.

On motion of Senator Decker, the regular order of business, Senate bill No. 45, was suspended, and the Senate

took up, out of its order, Senate bill No. 135.

The Chair laid before the Senate on second reading,

Senate bill No. 135, a bill to be entitled "An Act to amend Article 3381 of the Revised Statutes of Texas of 1895, relating to the granting of license to dealers in intoxicating liquors and to provide for the granting of license by order of the commissioners court."

Senator Decker offered the following substitute for the bill and moved that the bill be made a special order for next Wednesday morning; and that the substitute be published in full in the Journal.

The motion prevailed and the following is the substitute bill:

By Senators Hill and Decker:

Substitute Senate bill No. 135, a bill to be entitled "An Act to amend Article 5060c, 5060d and 5060e and add thereto Article 5060ee, relating to the granting of licenses to dealers in spirituous, vinous and malt liquors, and providing a penalty for illegally granting such license."

Be it enacted by the Legislature of the State of Texas:

Section 1. That Articles 5060c, 5060d and 5060e be amended so as to hereafter read as follows, to-wit:

Art. 5060c. Every person, firm or association of persons desiring to engage or re-engage in the sale of spirituous, vinous or malt liquors or medicated bitters shall before he or they commence the sale of such liquors or medicated bitters file with the county clerk of the county in which he or they propose to sell such liquors or medicated bitters an application for license. Said application shall be made on oath on forms to be provided by the comptroller and shall designate the exact place and location at which it is proposed to carry on the sale of such liquors or medicated bitters, giving such description as will identify the premises, and also state the quantity in which he or they propose to sell, whether one gallon or more than one gallon, one gallon or less than one gallon, or whether they desire to sell malt liquors exclusively; and also shall state in said application whether or not said liquors are to be sold to be drunk on the premises. Thereupon it shall be the duty of the clerk of the county court of said county to immediately publish said application, together with his certificate of authentication in the commissioners precinct in which said sale is to be engaged in, and if no newspaper is published in said precinct then in some paper published in said county, and if no paper is published in said county then any

newspaper published nearest to the county seat of said county. If at any time prior to thirty days after the notice aforesaid is first published as many as ten resident citizens of the commissioners precinct where said person or association of persons propose to engage in said sale, shall file a protest against the issuance of license to such person, firm or association of persons, it shall be the duty of the said clerk to immediately file with the county judge of said county the said application and protest, and thereupon it shall be the duty of said judge to set a day for the hearing of said application and protest, not exceeding thirty days from the date of filing of such application and protest with him, and notify the applicant and the first named person on said protest of such date of hearing, and thereupon convene the commissioners court of said county on said date to hear and determine said application and protest. And thereupon it shall be the duty of said court to hear said application in support thereof as well as the protest and evidence in support thereof, and if said court shall reach conclusion—

First—That the said person or any member of such firm or association of persons or such corporation or any stockholder thereof has been convicted since January 1, 1905, of any violation of the laws of Texas governing or regulating the sale of intoxicating liquors; or,

Second—That said person or any member of said firm or association of persons has been convicted since January 1, 1905, of a violation of the Sunday law or gaming statutes of this State; or,

Third—That any final judgment has been rendered against him or them or either of them since January 1, 1905, for a violation of the liquor dealers' bond; or,

Fourth—That the place where such person, firm or corporation or association of persons propose to engage in such business is not a proper place to conduct such business or that such business conducted at the place designated in the application will result in an injury to the business of others in the lawful business within 500 feet thereof or will tend to disturb the peace and quietude of a private family. It shall be the duty of said commissioners court to enter an order directing the clerk of said county to refuse the issuance of a license to said person, firm, corporation or association of persons to follow said occupation. If the court shall find that none of the foregoing objections are sustained by the evidence it shall be the duty of

said court to enter an order directing the clerk to issue a license to said person, firm, corporation or association of persons; provided, said person, firm, corporation or association of persons shall have paid the bond required in Article 5060g of this chapter and shall have paid the State, county and city occupation tax required by law in the manner required by law. All license issued under the provision of this chapter shall be posted by the licensee in a conspicuous place in his or their place of business, and on failure to so post such license he or they so failing shall be considered as having no license.

Art. 5060d. Upon filing the sworn application as provided in Article 5060c and the publication thereof of therein provided, if no protest shall be filed, or if protest shall be filed and the commissioners court shall enter an order directing the issuance of such license and the applicants shall have paid all State, county and city occupation tax required by law and shall have filed the bond as required by Article 5060g, the county clerk of said county shall issue to said applicant a license to sell spirituous, vinous or malt liquors or medicated bitters at the place and in the manner and quantity set forth in the application, and no sale shall be made until such license is procured. For issuing license herein provided the county clerk shall be entitled to a fee of 25 cents, and for filing of protests and entering orders of the commissioners court thereunder he shall receive a fee of \$5, to be paid by the applicant in addition to such fee as may be required to publish the affidavit as herein provided.

Art. 5060e. No license shall be granted for a longer or a shorter time than a year. The particular place and house in which the liquors are to be sold shall be designated in the license, and no license shall authorize any person to sell spirituous, vinous or malt liquors or medicated bitters at any other place or house than that designated in the license.

Art. 5060ee. Should any clerk issue a license in violation of the provisions of this Act, he shall be liable to a penalty of five hundred dollars, to be recovered against him and the sureties on his official bond, at the instance of the District or County Attorney of the county of which he is clerk, and be held guilty of official misconduct, and removed from such office.

Sec. 2. The fact that there is no sufficient law with regard to the granting of retail liquor dealers' license creates an emergency and an imperative public necessity, requiring that

the constitutional rule which requires that bills be read on three several days in each House be suspended, and the same is suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

SENATE BILL NO. 174—PASSAGE OF.

On motion of Senator Skinner, the regular order of business, Senate Substitute bill No. 45 was suspended, and the Senate took up, out of its order, Senate bill No. 174.

The Chair laid before the Senate, on second reading,

Senate bill No. 174, a bill to be entitled "An Act to amend Section 12 and Section 21, of Chapter 128, of the Acts of the Twenty-sixth Legislature, entitled 'An Act providing a mode by which horses, mules, jacks, jennets and cattle may be prevented from running at large in certain counties, or in any subdivision of said counties, so that when an election under said law shall be in favor of the stock law that the certificate thereto shall be prima facie evidence of a compliance with the law to put same in force,' also to provide for the punishment of any one violating the provisions of said Act, and emergency."

Senator Skinner offered the following amendment:

Amend by inserting between the words "the" and "result," in line 22, the following: "Order showing the."

The amendment was adopted.

Senator Skinner offered the following amendment:

Amend by inserting after the word "county," in line 22, the following: "And an order showing the result shall be duly recorded in the minutes of the commissioners court in such county."

The amendment was adopted.

Senator Skinner offered the following amendment:

Amend by striking out the last word in line 22, and inserting after "the certified," in line 23, the following: "And recorded."

The amendment was adopted.

Senator Harper offered the following amendment:

Amend by inserting at the end of Section 1:

Sec. 2. If any person shall knowingly permit any horses, mules, jacks, jennets and cattle to run at large in any territory in this State, where the provisions of the laws of this State have been adopted prohibiting any of such animals from running at large, such person or persons shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in any sum

not less than five dollars nor more than five hundred dollars.

The amendment was adopted.

Bill read second time and ordered engrossed.

On motion of Senator Skinner, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—26.

Barrett.	Hicks.
Beaty.	Hill.
Brachfield.	Holland.
Chambers.	Looney.
Decker.	Martin.
Faust.	McKamy.
Glasscock.	Skinner.
Griggs.	Smith.
Grinnan.	Stafford.
Hale.	Stokes.
Hanger.	Stone.
Harper.	Terrell.
Hawkins.	Willacy.

Absent.

Davidson.	Paulus.
Faulk.	

Absent—Excused.

Harbison.	Meachum.
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The bill was read third time and passed by the following vote:

Yeas—25.

Barrett.	Hill.
Beaty.	Holland.
Brachfield.	Looney.
Chambers.	Martin.
Faust.	McKamy.
Glasscock.	Skinner.
Griggs.	Smith.
Grinnan.	Stafford.
Hale.	Stokes.
Hanger.	Stone.
Harper.	Terrell.
Hawkins.	Willacy.
Hicks.	

Absent.

Davidson.	Faulk.
Decker.	Paulus.

Absent—Excused.

Meachum.	Harbison.
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Senator Skinner moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

REFUSED TO CONCUR IN AMENDMENTS.

Senator Hill called up

Senate bill No. 24, a bill to be entitled "An Act to prohibit roping contests, and to prescribe a penalty for engaging in the same, and to declare an emergency."

And moved that the Senate refuse to concur in the following amendments:

Amend by adding at end of the bill the following: Provided further, that any person who shall enter the enclosed lands or the range of another and shall rope any stock without the consent of the owner of said stock, shall be fined in any sum not less than \$25 nor more than \$100, and each and every animal so roped shall constitute a separate offense.

Any person who shall engage in a roping contest, with other persons, or alone, in which cattle, or other animals, are roped as a test or trial of the skill of the person or persons engaged in such roping contest, for money or prize of any character, or for any championship, or for anything of value, or upon the result of which any money or anything of value is bet or wagered, shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than \$100 nor more than \$500.

Amend the caption by striking out the words, "and to declare an emergency."

The motion to refuse to concur in the amendments prevailed.

Senator Hill called up

Senate bill No. 25, a bill to be entitled "An Act to amend Article 1012, Title XXVII, Chapter 14, Revised Civil Statutes of 1895, as amended by Act approved April 17, 1899, of the Twenty-sixth Legislature, regular session, relating to the employment of stenographers by the Courts of Civil Appeals, and declaring an emergency."

And moved that the Senate refuse to concur in the following amendment:

Amend by striking out, in line 33 of printed bill, the word "ten," and insert the word "two."

The motion to not concur prevailed, and

A Free Conference Committee was asked for on both the above bills.

SENATE SUBSTITUTE BILL NO 45.
PASSAGE OF.

The Chair laid before the Senate on third reading,

Senate Substitute bill No. 45, a bill to be entitled "An Act to amend Articles 3611, 3621, Title LXXVII, Chapter 1, of the Revised Statutes."

The bill was read third time and passed.

SENATE BILL NO. 141—PASSAGE OF.

The Chair laid before the Senate on third reading.

Senate bill No. 141, a bill to be entitled "An Act authorizing the Superintendent of Public Instruction to issue certificates to persons holding diplomas issued to them by colleges, universities and institutions of learning in Texas."

The bill was read third time and passed by the following vote:

Yeas—15.

Barrett.	Harper.
Beaty.	Hawkins.
Brachfield.	Hill.
Glasscock.	Holland.
Griggs.	Martin.
Grinnan.	Stokes.
Hale.	Stone.
Hanger.	

Nays—9.

Chambers.	Smith.
Faust.	Stafford.
Hicks.	Terrell.
Looney.	Willacy.
McKamy.	

Absent.

Davidson.	Paulus.
Decker.	Skinner.
Faulk.	

Absent—Excused.

Harbison.	Meachum.
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Senator Grinnan moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 3—POSTPONED.

The Chair laid before the Senate on its second reading.

House bill No. 3, a bill to be entitled "An Act to prohibit roping contests, and providing a penalty therefor."

On motion of Senator Hill further consideration of the bill was postponed till the first Tuesday in March.

SENATE BILL NO. 86—ENGROSSMENT.

On motion of Senator Hicks the regular order of business, House bill No. 45, was suspended, and the Senate took

up, out of its order, Senate bill No. 86.

The Chair laid before the Senate on its second reading.

Senate bill No. 86, a bill to be entitled "An Act to amend Articles 146 and 152, of Chapter 2, Title IX, of the Revised Statutes of the State of Texas, so as to provide for monthly meetings of the boards of trustees of the State Asylums and allow pay therefor."

Senator Glasscock offered the following amendment:

Amend by adding the words "and Confederate Home" in the caption in line 8, page 1, after the word "asylum."

The amendment was adopted.

Senator Chambers offered the following amendment:

Amend line 22 and 23 by striking out "five cents" and insert in lieu thereof "three cents."

Senator Hicks moved to table the amendment and the motion was lost by the following vote:

Yeas—10.

Barrett.	McKamy.
Decker.	Skinner.
Faust.	Stafford.
Hale.	Stone.
Hicks.	Willacy.

Nays—15.

Beaty.	Hawkins.
Brachfield.	Holland.
Chambers.	Looney.
Glasscock.	Martin.
Griggs.	Smith.
Grinnan.	Stokes.
Hanger.	Terrell.
Harper.	

Absent.

Davidson.	Hill.
Faulk.	Paulus.

Absent—Excused.

Harbison.	Meachum.
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Senator Chambers' amendment was then adopted.

Bill read second time and ordered engrossed.

SUBSTITUTE SENATE BILL NO. 49. MADE SPECIAL ORDER.

On motion of Senator Brachfield, the regular order of business (House bill No. 45) was suspended, and the Senate took up, out of its order, Substitute Senate bill No. 49.

The Chair laid before the Senate, on its second reading.

Substitute Senate bill No. 49, a bill to be entitled "An Act to prescribe

when the defense of assumed risk shall not be available when interposed by a person, firm, corporation or receiver, or lessee, operating or carrying on any business, calling or occupation requiring the use of machinery of any kind, in any suit for damages that may be prosecuted under the laws of this State for the death or personal injury of any employee."

On motion of Senator Brachfield, further consideration of the bill was postponed until next Wednesday, February 15, and made special to follow previous special orders for that day.

SENATE BILL NO. 99—ENGROSSMENT OF.

On motion of Senator Hicks, the regular order of business (House bill No. 45) was suspended, and the Senate took up, out of its order, Senate bill No. 99.

The Chair laid before the Senate, on its second reading,

Senate bill No. 99, a bill to be entitled "An Act to fix the venue of suits in behalf of the State of Texas upon bonds or other obligations payable to the State, or to the Governor of the State, and which are for the use and benefit of the State; and to authorize such suits to be brought in any county in which the defendants or either of them reside, or in the county of Travis."

The bill was read second time, and ordered engrossed.

SENATE BILL NO. 17—MADE SPECIAL ORDER.

On motion of Senator Harper, the regular order of business (House bill No. 45) was suspended, and the Senate took up, out of its order, Senate bill No. 17.

The Chair laid before the Senate, on second reading,

Senate bill No. 17, a bill to be entitled "An Act to inhibit owners, managers and lessees of billiard halls, pool halls and ten pin and bowling alleys, and their clerks and employees, from permitting persons under 21 years of age to play at any game of billiards or pool, or roll upon any ten pin or bowling alley, or permit them to enter and remain in such place of business, whether intoxicating liquors are sold therein or not, and to provide a penalty for a violation of this Act."

The bill was read second time, and,

On motion of Senator Hicks, further consideration of the bill was postponed and the same was made special order Thursday morning after the conclusion of the morning call.

HOUSE BILL NO. 45—REGULAR ORDER.

The Chair laid before the Senate, on its second reading,

House bill No. 45, a bill to be entitled "An Act to better define the duties of peace officers, and to require them as such to arrest parties who commit a breach of the peace in their presence."

There being a majority and a minority committee report,

Senator Beaty moved the minority report, which recommended that the bill do pass, be adopted.

The motion was lost by the following vote:

Yeas—7.

Beaty.	Hill.
Brachfield.	Holland.
Decker.	Martin.
Glasscock.	

Nays—18.

Chambers.	McKamy.
Faust.	Skinner.
Griggs.	Smith.
Grinnan.	Stafford.
Hale.	Stokes.
Hanger.	Stone.
Harper.	Terrell.
Hicks.	Willacy.
Looney.	

Absent.

Barrett.	Faulk.
Davidson.	Paulus.

Absent—Excused.

Harbison.	Meachum.
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Action then recurring on the majority report, which recommended that the bill do not pass, the same was adopted.

MOTION TO RECONSIDER LOST.

Senator Stokes moved to reconsider the vote by which the Senate refused to engross Senate bill No. 15.

Senator Brachfield raised the point of order, that, according to the Senate rules requiring such motion to be made not later than one day after action on the measure to be reconsidered, was out of order for the fact that this time had already elapsed.

The Chair sustained the point of order.

SENATE BILL NO. 139—MADE SPECIAL ORDER.

On motion of Senator Hicks, the regular order of business was sus-

pended, and the Senate took up, out of its order, Senate bill No. 139.

The Chair laid before the Senate on its second reading,

Senate bill No. 139, a bill to be entitled "An Act to regulate the sale, barter, transfer or advertisement of railroad tickets, passes or other evidences of the holder's right to travel on any railroad within this State, and restricting such sale, barter, transfer or advertisement to the duly authorized agents of the railroad company issuing or selling the same; to provide for the redemption of such tickets, or unused portions thereof; to prohibit the sale, barter, transfer or advertisement for sale, barter, transfer or purchase of any railroad tickets, passes or other evidences of the holder's right to travel on any railroad within this State by any person, firm or corporation except the duly authorized agents of the railroad company issuing or selling the same; to provide penalties for the violation of the provisions of this act, and to repeal all laws in conflict herewith."

On motion of Senator Hicks further consideration of the bill was postponed until next Thursday morning and the same was made special order after the conclusion of the morning call.

SENATE BILL NO. 134—MADE SPECIAL ORDER.

On motion of Senator Glasscock, the regular order of business was suspended, and the Senate took up, out of its order, Senate bill No. 134.

The Chair laid before the Senate on its second reading,

Senate bill No. 134, a bill to be entitled "An Act to repeal all of Articles 1010c, 1010d, 1010e, 1010f and 1010g, Title XVIII, Chapter 13, of the Penal Code of Texas."

On motion of Senator Glasscock further consideration of this bill was postponed until next Wednesday morning and the same was made a special order at the conclusion of the morning call.

ADJOURNMENT.

On motion of Senator Griggs, the Senate, at 12:40 o'clock p. m., adjourned until Tuesday morning at 10 o'clock a. m.

APPENDIX A.

(Committee Reports.)

Committee Room,

Austin, Texas, February 6, 1905.

Hon. Geo. D. Neal, President of the Senate.

Sir: Your Judiciary Committee No. 1, to whom was referred

House bill No. 57, a bill to be entitled "An Act to prescribe the parties to and venue of suits against railroads, express companies and other common carriers and assignees, lessees, trustees and receivers thereof; to provide for the apportionment of the damages recovered in such suits, and to repeal all laws and parts of laws in conflict herewith,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, amended as follows:

Amend by inserting in the caption, after the word "companies," "steamship companies," and after "suits," "and to designate agents upon whom service of citation may be had," and also amend Section 1 by adding after the words "express companies" the words "steamship companies."

Amend the bill by numbering Section 2 Section 3, and Section 3 Section 4, and inserting the following sections:

Sec. 2. That service may be had on foreign corporations having agents in this State in addition to the means now provided by law by serving citation upon any train conductor who is engaged in handling trains for two or more railway corporations, whether said railway corporations are foreign or domestic corporations, if said conductor handles trains over foreign or domestic corporations' tracks across the State line of Texas, and on the track of a domestic railway corporation within the State of Texas, or upon any ticket agent who has an office in Texas and who sells tickets for transportation of passengers over any line of railway or part thereof of such foreign railway corporation.

Sec. 3. For the purpose of obtaining service of citation on foreign railway corporations, conductors who are engaged in handling trains and ticket agents engaged in the sale of tickets, as described in Section 2 of this act, are hereby designated as agents of said foreign corporations, upon whom citation may be served as the agent of foreign railway corporations.

HICKS, Chairman.

Committee Room,

Austin, Texas, February 8, 1905.

Hon. Geo. D. Neal, President of the Senate.

Sir: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 169, a bill to be entitled "An Act to amend Section 5, Chapter 50, General Laws of the Twenty-eighth Legislature of the State of Texas, entitled 'An Act providing for the appointment of official stenographers for the district courts by the

judges thereof in all districts composed of only one county or portion of one county, and all other district courts sitting in the same counties therewith; prescribing their duties, and providing for their compensation, and providing that said act may become applicable to all other districts in this State, and providing an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

HICKS, Chairman.
Committee Room,

Austin, Texas, February 7, 1905.

Hon. Geo. D. Neal, President of the Senate.

Sir: Your Committee on Insurance, Statistics and History, to whom was referred

Senate bill No. 110, a bill to be entitled "An Act to prevent any distinction or discrimination in favor of individuals, between insurants of the same class and equal expectation of life in the amount or payment of insurance premiums or rates charged for policies of life insurance,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass.

STAFFORD, Chairman.
Committee Room,

Austin, Texas, February 9, 1905.

Hon. Geo. D. Neal, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 141, being "An Act authorizing the Superintendent of Public Instruction to issue certificates to persons holding diplomas issued to them by colleges, universities and institutions of learning in Texas,"

And find the same correctly engrossed.

BARRETT, Chairman.
Committee Room,

Austin, Texas, February 10, 1905.

Hon. Geo. D. Neal, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate Substitute bill by Committee No. 45, being "An Act to amend Articles 3611, 3621, Title LXXVII, Chapter 1, of the Revised Statutes,"

And find the same correctly engrossed.

BARRETT, Chairman.
Committee Room,

Austin, Texas, February 10, 1905.

Hon. Geo. D. Neal, President of the Senate.

Sir: Your Committee on Roads,

Bridges and Ferries, to whom was referred

Senate bill No. 195, a bill to be entitled "An Act to amend Section 13, Chapter 35, Acts of the Regular Session of the Twenty-fifth Legislature, being House bill No. 83, creating a more efficient road system for Rains county, as printed in Session Acts, pages 32 to 37, by increasing the per diem of the County Road Commissioner, and increasing the maximum pay to four hundred (\$400) dollars per annum, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and that the same be not printed.

MARTIN, Chairman.
(By unanimous consent.)

Committee Room,

Austin, Texas, February 10, 1905.

Hon. Geo. D. Neal, President of the Senate.

Sir: Your Committee on Public Health, to whom was referred

Senate bill No. 144, a bill to be entitled "An Act to amend Articles 3763, 3764, 3765, 3766, 3767, 3768, 3769, 3770, 3771, 3772, 3773, 3775 and 3776, Title LXXXI of the Revised Civil Statutes of the State of Texas, and to add thereto Article 3776a, providing penalties for the breach of said title regulating the practice of pharmacy within the State of Texas,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

HARPER, Chairman.

FLOOR REPORT.

Committee Room,

Austin, Texas, February 10, 1905.

Hon. Geo. D. Neal, President of the Senate.

Sir: Your Committee on City and Town Corporations, to whom was referred

Senate bill No. 186, a bill to be entitled "An Act to amend the charter of the city of El Paso, entitled 'An Act to incorporate the city of El Paso and grant it a new charter,' approved March 2, 1899, as amended by an Act entitled 'An Act to grant a new charter to the city of El Paso, became effective April 26, 1899, and the Acts amendatory thereof, relating to streets, alleys, sidewalks and other public improvements, and the levy and collection of a tax to pay therefor, and fixing the time of holding elections, passed at the regular session of the Twenty-sixth Legislature, and to provide a just and effective law for making necessary street improvements, and

paying the cost of same, by adding to said city charter of the city of El Paso Section 148a, inclusive, and by repealing all laws and parts of laws in conflict with such added sections, and to declare an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

BEATY, Chairman.
Committee Room.

Austin, Texas, February 10, 1905.

Hon. Geo. D. Neal, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 27, being "An Act for the relief of railway corporations and belt and suburban railway companies having charters granted or amended since the 1st day of January, 1887, and which have failed or are about to fail to construct their roads and branches or any part thereof within the time required by law."

And find the same correctly enrolled.

TERRELL, Chairman.

TWENTY-FIFTH DAY.

Senate Chamber.

Austin, Texas, Tuesday, Feb. 14, 1905.

Senate met pursuant to adjournment, President Pro Tem. Hanger in the chair.

Roll call, quorum present, the following Senators answering to their names:

Barrett.	Hill.
Beaty.	Holland.
Brachfield.	Looney.
Chambers.	Martin.
Davidson.	McKamy.
Faust.	Paulus.
Glasscock.	Skinner.
Griggs.	Smith.
Grinnan.	Stafford.
Hanger.	Stokes.
Harbison.	Stone.
Harper.	Terrell.
Hawkins.	Willacy.
Hicks.	

Absent.

Decker.

Absent—Excused.

Faulk.
Hale.

Meachum.

Prayer by the Chaplain, Rev. H. M. Sears.

Pending the reading of the Journal of Friday, on motion of Senator Stafford, the same was dispensed with.

PETITIONS AND MEMORIALS.

Senator Looney offered the following petition:

To the Senate of the State of Texas.

Gentlemen: We, citizens of Plano, Texas, most earnestly petition and appeal to your honorable body to enact a law which shall give relief from the vicious features of the cold storage and clubs now operated in prohibition districts in this State.

Signed by seventy-five citizens.

Senator Hill offered the following memorial:

At a meeting of the Bar association of Reagan county, held at Stiles on Saturday, January 28, 1905, the following members were present: John Gardner, G. W. Shield, H. Japson, W. G. Bartlett, G. W. Tankersley and J. B. Lucas.

By request of the president, Hon. W. G. Bartlett stated that the object of the meeting was for the purpose of memorializing the Twenty-ninth Legislature to increase the pay of the District Judges of the State.

The president then appointed the following gentlemen a committee to prepare a suitable resolution, viz: H. Japson, G. W. Shield, W. G. Bartlett and G. W. Tankersley.

The committee presented the following resolution, which was unanimously adopted, to wit:

To the Hon. John Gardner, President of the Bar Association of Reagan County:

We, your committee, beg to submit the following resolution:

Resolved, That it is the opinion of this bar that the salaries of the District Judges of the State are wholly inadequate and insufficient for the services which the Judges are required to perform, and to meet the expenses necessarily incurred by them, and that we believe the salaries of the District Judges should be increased by law to at least \$3500 per annum.

Respectfully Submitted,
G. W. SHIELD, Chairman;
W. G. BARTLETT,
H. JAPSON,
G. W. TANKERSLEY.

Senator Hawkins offered the following petition:

To the Senate of the State of Texas.
Gentlemen: We, citizens of Odessa, Texas, most earnestly petition and appeal to your honorable body to enact a law which shall give the people relief from the vicious features of the cold storage and clubs now operated in prohibition districts in this State.

(Signed)

On behalf of the Woman's Christian Temperance Union, of Odessa, Texas,

MRS. LUCY H. WHITE, Pres.;
MRS. CLARA T. WHITE, Sec.